IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 4334 OF 2005
IN
CRIMINAL APPEAL NO. 643 OF 2005

Bharat Shankar Khandekar ...Applicant

Versus

The State of Maharashtra ...Respondents

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Mrs. V.R. Raje, Advocate for Applicant
Mr. Rajesh More, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.
DATED: 20TH SEPTEMBER, 2005

P. C.:-

1. Heard both sides.

2. The applicant is seeking bail. The applicant was convicted under Section 386 of I.P.C. and sentenced to R.I. for four years. The complainant P.W.1 Daulat Surve has stated that the applicant approached him and demanded Rs.50,000/-. Out of the said amount, the complainant paid Rs.35,000/-. The applicant warned the complainant that he should remember that his brother was externed person and he (applicant) and his brother are known Gundas in that locality. Out of the fear, the complainant did not lodge the complaint. However, thereafter, again the applicant demanded Rs.25,000/- from the complainant. Out of the said amount, the complainant paid Rs.15,000/- to the applicant.

3. Thereafter again on 12.4.2002, applicant came to the house of the complainant and demanded ransom amount of Rs.1,00,000/-. The complainant told the applicant that he did not have money but the applicant warned him and threatened him that if the amount was not kept ready by the next day, the complainant would be kidnapped and taken away. The complainant has stated that on the next date, he could not give money and on the following day, he came to be assaulted and put in a rickshaw and taken away.

4. Thus, it is seen that there is sufficient material to show the complicity of the applicant in the crime. Besides this, it is seen that the applicant is involved in another case i.e. C.R. No. 138 of 1997 at Tilak Nagar police station. The said case is under Section 324 of I.P.C. Looking to all these facts, I am not inclined to grant bail to the applicant. Application is rejected.

5. However, hearing of the appeal is expedited. Office to prepare paper books expeditiously and place the matter on the final hearing board within a week on the paper book being ready. If the appeal of the applicant is not heard within a period of six months from today, liberty to the applicant to apply for

bail.

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